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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/928,321	08/13/2001	Han S. Cho	CS11370	7384
20280	7590	11/17/2003	EXAMINER	
MOTOROLA INC 600 NORTH US HIGHWAY 45 LIBERTYVILLE, IL 60048-5343			ANWAH, OLISA	
			ART UNIT	PAPER NUMBER
			2645	

DATE MAILED: 11/17/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/928,321

Applicant(s)

CHO ET AL.

Examiner

Olisa Anwah

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-7 and 9-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7 and 9-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

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**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (e) the invention was described in-
  - (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or
  - (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

2. Claims 1, 17, 18 and 20 are rejected under 35 U.S.C. § 102(e) as being anticipated by Maquaire et al, U.S. Patent Application Publication No. 2002/0107049 (hereinafter Maquaire).

Regarding claim 1, Maquaire discloses a method in a mobile wireless communication device, comprising:

receiving incoming communications at the mobile wireless communication device and providing different audible announcements at an audio output of the mobile wireless communication device for different incoming communications when

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the incoming communications are received, the different audible announcements dependent on a source of the communications received at the communication device (paragraph 0028).

Regarding claim 17, see paragraphs 0028 and Figure 2.

Regarding claim 18, see paragraph 0026.

Regarding claim 20, see paragraphs 0028 and 0029.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 4, 5, 7 and 19 are rejected under 35 U.S.C § 103(a) as being unpatentable over Maquaire in view of Contreas, U.S. Patent Application Publication No. 2002/0077089 (hereinafter Contreas).

Regarding claim 4, Maquaire discloses announcing a name uniquely associated with a source of the incoming communication (paragraph 0028). Maquaire does not disclose receiving an

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incoming communication at the mobile wireless communication device during a communication in progress at the wireless communication device and providing an audible announcement during the communication in progress. However Contreas discloses this limitation (paragraph 0015). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Maquaire with the audible announcement taught by Contreas. This modification would allow for a method of identifying a calling party to a called party at the same time the called party is engaged in communication with a third party as suggested by Contreas.

Regarding claim 5, see paragraph 0027.

Regarding claim 7, Maquaire does not disclose providing an audible announcement on the audio output during an on-going communication, the audible announcement uniquely associated with an incoming communication. However Contreas discloses this limitation (paragraph 0015). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Maquaire with the audible announcement taught by Contreas. This modification would allow for a method of identifying a calling party to a called party at

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the same time the called party is engaged in communication with a third party as suggested by Contreas.

Claim 19 is rejected for the same reasons as claim 7.

5. Claim 6 is rejected under 35 U.S.C § 103(a) as being unpatentable over Maquaire combined with Contreas in further view of Worsham.

Regarding claim 6, Maquaire combined with Contreas does not disclose providing a different audible announcement on the audio output by audibly announcing a telephone number from which the incoming communication originated. However Worsham discloses this limitation (paragraph 0042). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the combination of Maquaire and Contreas with the telephone number taught by Worsham. This modification would allow for a caller ID service that does not require a display device.

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6. Claims 9-11 and 13-16 are rejected under 35 U.S.C § 103(a) as being unpatentable over Contreas in view of Maquaire.

Regarding claim 9, Contreas discloses a method in a cellular handset, comprising receiving an incoming telephone call at the cellular handset during a telephone call in progress at the cellular handset (paragraph 0014) and providing an audible announcement on an audio output of the cellular handset uniquely associated with the incoming call when the incoming call is received (paragraph 0015).

With respect to claim 9, Contreas does not disclose a telephone number originating the incoming telephone call stored in the cellular handset. However Maquaire discloses this limitation (see abstract). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Contreas with the telephone number taught by Maquaire. This modification would allow for the announcement of names as suggested by Maquaire.

Regarding claim 10, see paragraph 0014 of Contreas.

Regarding claim 11, see paragraph 0015 of Contreas.

Regarding claim 13, see paragraph 0028 of Maquaire.

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Regarding claim 14, see paragraph 0028 of Maquaire.

Regarding claim 15, see paragraph 0028 of Maquaire.

Regarding claim 16, see paragraph 0015 of Contreas.

7. Claims 2 and 3 are rejected under 35 U.S.C § 103(a) as being unpatentable over Maquaire in view of Worsham et al, U.S. Patent Application Publication No. 2003/0003927 (hereinafter Worsham).

Regarding claim 2, Maquaire does not disclose providing different audible announcements by audibly announcing a communication address from which the incoming communication originated. However Worsham discloses this limitation (paragraph 0042). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Maquaire with the communication address taught by Worsham. This modification would allow for a caller ID service that does not require a display device.

Regarding claim 3, Maquaire discloses storing audio clips that uniquely identify addresses corresponding to the origin of the incoming communications before receiving the incoming communication and providing different audible announcements by



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playing the audio clips corresponding to origin of the incoming communications when incoming communications from the corresponding addresses are received (paragraph 0028).

With respect to claim 3, Maquaire does not disclose the audio clips identify the addresses. However Worsham discloses this limitation (paragraph 0042). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Maquaire with the communication address taught by Worsham. This modification would allow for a caller ID service that does not require a display device.

8. Claim 12 is rejected under 35 U.S.C § 103(a) as being unpatentable over Contreas combined with Maquaire in further view of Worsham.

Regarding claim 12, Contreas combined with Maquaire does not disclose providing audible announcements by audibly announcing a telephone number from which the incoming communication originated. However Worsham discloses this limitation (paragraph 0042). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the combination of Contreas

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and Maquaire with the telephone number taught by Worsham. This modification would allow for a caller ID service that does not require a display device.

**Conclusion**

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Olisa Anwah whose telephone number is 703-305-4814. The examiner can normally be reached on Monday to Friday from 8.30 AM to 6 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on 703-305-4895. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

C A  
Olisa Anwah  
Patent Examiner  
November 13, 2003

FAN TSANG  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600

